

United States District Court
Southern District of Texas
ENTEREDIN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

MAY 10 2005

Michael N. Milby, Clerk of Court
By Deputy Clerk *[Signature]*

UNITED STATES OF AMERICA

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V.

CRIMINAL NO. B-01-295 ✓
CIVIL ACTION NO. B-05-128

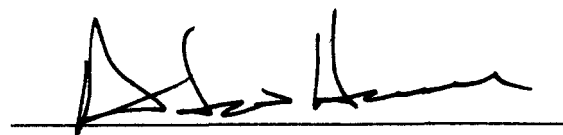
INOCENCIO LARA TRUJILLO

ORDER

This matter was transferred to the Brownsville Division by Order of the Chief Judge of the Southern District of Texas. In that Court's opinion, Inocencio Lara Trujillo's (hereinafter "Trujillo") claims were, when interpreted in the light most favorable to Trujillo, best viewed as a § 2255 motion and that should be handled by the court from which he was sentenced. Judge Vela, the sentencing judge, passed away after he presided over Trujillo's case. Consequently, the case was assigned to the undersigned. It was initially automatically referred to United States Magistrate Judge Black, but this court cognizant of the fact that Trujillo seeks to complain, at least in part, about his treatment by Judge Black hereby withdraws that reference.

No response has been filed by any party and given the unorthodox pleading filed by Trujillo, it seems likely that no one might file a response. Nevertheless, since Mr. Trujillo is acting without the benefit of counsel, this court will interpret his "Affidavit of Truth" and his letter setting out "Proofs of Claims" in terms most favorable to him and hereby orders the office of the United States Attorney to file a response to Trujillo's pleadings and, if it so desires, to Judge Head's order, by May 31, 2005. Trujillo will then have until June 29, 2005, to file any response he desires. The clerk of this court shall immediately provide a copy of this order to the Brownsville Division office of the United States Attorney and Mr. Trujillo.

Signed this 10th day of May, 2005.

A handwritten signature in black ink, appearing to read 'A. S. Hanen', is written over a horizontal line.

Andrew S. Hanen
United States District Judge